



**BUSINESS LICENSE COMMISSION**  
**COUNTY OF LOS ANGELES**  
374 KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET  
LOS ANGELES, CA 90012  
(213) 974-7691



November 16, 2011

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Tony Blain  
Blain & Associates  
8840 Wilshire Blvd.  
Beverly Hills, CA 90211

**DISCUSSION OF RECONSIDERATION**  
**OR REHEARING OF THE FINAL ACTION FOR**  
**FOOD ESTABLISHMENT BUSINESS LICENSE ID #133203**

MEMBERS  
**STEVEN AFRIAT**  
*PRESIDENT*  
**RENÉE CAMPBELL**  
*VICE-PRESIDENT*  
**SARA VASQUEZ**  
*SECRETARY*  
**JAMES BARGER**  
*COMMISSIONER*  
**SHAN LEE**  
*COMMISSIONER*

Dear Mr. Blain:

In response to your November 10, 2011, written request for reconsideration by the Business License Commission for Alma's Café, Food Establishment Business License ID #133203, the Commission will consider your request for reconsideration at its regularly scheduled meeting on **Wednesday, November 30, 2011 at 9:00 a.m.** in Room 374-A, 500 West Temple Street, Los Angeles, CA 90012. Your attendance at this meeting is not required. However, if you plan to attend, please contact Commission Staff at (213) 974-7691 to confirm your attendance at the meeting.

Parking is available at your cost; a map is enclosed for your convenience. **Please note the meeting will begin promptly at 9:00 a.m.**

Sincerely,

**STEVEN AFRIAT**  
President

cc: Lupe Duron, Commission Staff

w:\2011-11-15 alma's cafe bar response.doc

BLAIN & ASSOCIATES

*Attorneys at Law*  
8840 Wilshire Boulevard  
Beverly Hills, CA 90211-2606

---

[310] 358-3111  
Fax: [310] 358-3181

November 10, 2011

**VIA U.S. MAIL & FACSIMILE @ (213) 633-5102**

The Honorable Members of the Business License Commission  
County of Los Angeles  
374 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

*RE: Appeal/Request for Reconsideration for Alma's Café's Business License  
3837-39 Whittier Boulevard, Los Angeles, Business License #133203*

Dear Honorable Members of the Business License Commission of the County of Los Angeles:

This firm represents Rosa Delgado, owner of Alma's Café, which has been in operation and serving the East Los Angeles community for at least the previous two decades at 3837-39 Whittier Boulevard, Los Angeles, CA 90023 ("Alma's Café").

By this letter, my client respectfully requests that the Business License Commission of the County of Los Angeles ("Commission") reconsider its October 26, 2011 decision denying the renewal of the existing Alma's Café business license and re-open the Commission's previous hearing to permit Ms. Delgado to provide crucial evidence for consideration by the Commission. My client also respectfully requests that the Commission re-instate the Alma's Café business license for the reasons stated herein as well as for the reasons which will be further explained at the Commission's additional hearing in this matter if such hearing should occur.

In the alternative, or if this Commission does not reconsider its October 26, 2011 administrative decision regarding Alma's Café, this letter will serve as written notification of my client's appeal regarding the Commission's October 26, 2011 administrative decision denying the renewal of the Alma's Café business license. Los Angeles County Code § 7.12.020.

Please understand that my client offers her sincere apologies to the Commission, its staff and all related County entities regarding any lack of preparedness, inattention to detail,

misinformation, inability to answer some of the Commission's legitimate questions or any other actions or inactions of my client or her previous lawyer which may have in any manner reflected poorly on Alma's Café. Please understand that no disrespect was intended by my client to the Commission, its staff and all related County entities. My client is now prepared to work in a cooperative manner with the Commission and all necessary parties to amicably resolve any of the issues presented by her business operations in order to address the legitimate concerns raised by the Commission as well as all other interested parties such as the Sheriff's Department.

The primary basis for my client's request for reconsideration of the Commission's previous October 26, 2011 hearing is to permit Ms. Delgado to present critical evidence that was not previously provided to the Commission before it made its decision regarding the renewal of the business license for Alma's Cafe. It is my client's intention to provide this Commission with credible evidence that addresses several of the legitimate questions raised by the Commission regarding Alma's Café and its business operations. My client's evidence is critical to show that my client can and will operate her business responsibly and will manage the business sufficiently in the future.

In response to the Commission's October 26, 2011 administrative decision denying an extension of my client's business license, the following are representative examples of some of the evidence that my client intends to provide to the Commission:

- The Commission was misinformed when it was presented with testimony claiming that Alma's Café had "not complied as instructed in the 2007 inspection" and that "Ms. Delgado was ordered to bring the business up to code." Commission Statement of Proceedings dated October 26, 2011, page three. My client is prepared to present this Commission with credible evidence that considerable time, energy and financial resources were spent by my client's landlord, Al Santos, in bringing the 3837-39 Whittier Boulevard property into compliance with the applicable codes sections while any non-compliance matters became the subject matter of an Application for a Non-Conforming Review ("NCR Application") which was filed by Mr. Santos on May 20, 2008 at the Department of Regional Planning (Project No. R2008-00926 and NCR 20080006). This NCR Application is currently pending review before the County's Department of Regional Planning;
- The Commission was misinformed when it was presented with testimony claiming that Alma's Café was the subject of a "long list" and a "history of reports" over 14 years from the Sheriff's Department and that these reports involve only Alma's Café. Commission Statement of Proceedings dated October 26, 2011, page two. My client is prepared to present this Commission with credible evidence that a number of these reports involve the on-going business operations from another business establishment named Bar Tolo's Tiki Bar which is next door to Alma's Café. Bar Tolo's Tiki Bar is an ongoing business operation that is a bar that is adjacent to Alma's Café;

- The Commission was misinformed when it was presented with testimony stating that it was "highly unlikely" that Ms. Delgado had a permit for a handgun which she purchased after she was a victim of a crime. Commission Statement of Proceedings dated October 26, 2011, pages 4 and 5. My client is prepared to present this Commission with credible evidence that she maintains a valid firearms certificate; and
- Alma's Café has serviced the Eastside for over 20 years and has a record of serving the community including, without limitation, commendations, citations and involvement in various non-profit events. My client is prepared to present to this Commission credible evidence that Alma's Café has received numerous certificates and commendations from the local community which show a positive impact on the Eastside community that Alma's Café has served for over two decades.

There are numerous other issues which my client intends to address if the Commission provides my client with an opportunity to re-open its October 26, 2011 hearing.

Please note that my client wishes to resolve this current situation involving the Commission so that Alma's Café can hopefully continue its long standing service to its loyal customers as well as its service to the local community.

If you wish to further discuss this matter, please contact me at your earliest convenience. My client appreciates the time and effort spent by both the Commission and its staff in dealing with all of the matters related to this situation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tony Blain". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

**Tony Blain**